

Rec'd PCT/PTC 24 JAN 2005

01/24/05 11:40 FAX

001



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FACSIMILE TRANSMITTAL SHEET

January 24, 2005

To:	PCT (EO/DO/US)	From:	Day Karlo dkarlo@crbcn.com
Attn.:	Deborah Williams	Time:	
Fax No.:	703 305 3230	Our Ref.:	B1180/20030
Pages:	(including cover)		

IF YOU DO NOT RECEIVE ALL THE PAGES INDICATED
ABOVE, PLEASE CALL US BACK AS SOON AS POSSIBLE.

This transmittal contains PRIVILEGED AND CONFIDENTIAL information intended only for the use of the addressee. If you are not the intended recipient, you are hereby notified that any dissemination or copying is strictly prohibited. If you have received the transmission in error, please call us immediately by telephone (collect) and we will make arrangements with you to have the original facsimile returned to us at our expense. Thank You.

COMMENTS

Re : U.S. Application No. 10/511,950

Dear Ms. Williams:

Further to our telephone conversation on Friday, January 21, 2005, I enclose copies of the papers in response to the Notification of Missing Requirements. These papers were sent by Express Mail on November 30, 2004.. A copy of the stamped return receipt post card is also attached.

If you have any questions, please call me.

Day Karlo
215-567-2010

Attached: Transmittal Letter
Calculation sheet
Submission of Declaration
Declaration
Return receipt post card
Copy of Notification of Missing Requirements..

<small>SUBSTITUTE FORM PTO-1390 (REV. 10-2001)</small> TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER B1180/20030
INTERNATIONAL APPLICATION NO. PCT/EP03/04148	INTERNATIONAL FILING DATE April 22, 2003	PRIORITY DATE CLAIMED April 22, 2002
TITLE OF INVENTION MEASURING DEVICE, PARTICULARLY FOR CONDUCTING SPECTROSCOPIC MEASUREMENTS		
APPLICANT(S) FOR DO/EO/US Hans Joachim BRUINS		
<small>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</small>		
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). 		
Items 11 to 20 below concern document(s) or information included:		
<ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 & 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Express Mail certificate no. EL962209460US, return receipt postcard 		

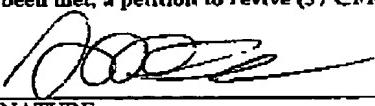
U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/511,950	INTERNATIONAL APPLICATION NO. PCT/BP03/04148	ATTORNEY'S DOCKET NO. B1180/20030
21. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO		\$1110.00
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO		\$950.00
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO		\$790.00
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)		\$750.00
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)		\$100.00
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	15 - 20 =	x \$18.00
Independent claims	2 - 3 =	x \$88.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$300.00
TOTAL OF ABOVE CALCULATIONS =		\$
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.		\$ 65.00
SUBTOTAL =		\$ 65.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$
TOTAL NATIONAL FEE =		\$
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property		+ \$
TOTAL FEES ENCLOSED =		\$ 65.00
		Amt. to be refunded: \$
		Amt to be charged: \$

- A check in the amount of \$ _____ to cover the above fees is enclosed.
- Please charge my Deposit Account No. 03-0075 in the amount of \$ 65.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-0075. A duplicate copy of this sheet is enclosed.
- Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the Application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 03000


SIGNATURE

David M. Tener

NAME

37,054

REGISTRATION NUMBER

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION**

Applicant(s): Hans Joachim BRUINS

U.S. App. Serial No: 10/511,950

International App. No.: PCT/EP03/04148

Filed: October 21, 2004

International Filing Date: April 22, 2003

Att. Docket No.: B1180/20030

Confirmation No.:

For: Measuring Device, Particularly For Conducting Spectroscopic Measurements

SUBMISSION OF DECLARATION

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

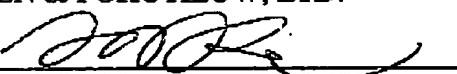
Applicants enclose a Declaration executed by the inventor to complete the filing requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US). Authorization to charge the small entity surcharge under 37 CFR 1.492(e) is granted in the attached Transmittal Letter.

The Declaration is compliant with 37 CFR 1.497(a) and (b), when read in conjunction with the Application Data Sheet filed (October 21, 2004), which identifies the International Application Number (PCT/EP03/04148) and International Filing Date (April 22, 2003). 37 CFR §§ 1.497(c) and 1.67.

As of this date a Notification of Missing Requirements Under 35 U.S.C. 371 has not been received. Applicant respectfully requests that a Notice of Acceptance be issued.

Respectfully submitted,
CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

By



David M. Tener
Registration No. 37,054
Customer No. 03000
(215) 567-2010
Attorneys for Applicant(s)

November 30, 2004

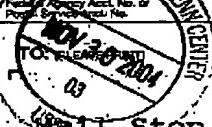
Please charge or credit our Account No.
03-0075 as necessary to effect entry and/or
ensure consideration of this submission.

Application No. 10/511,950

Express Mail Certification

I hereby certify that this correspondence (including all attachments referenced herein) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 with the Express Mail No. EL 962209460 US in an envelope addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 30, 2004.



 EL 962209460 US		Customer Cc <small>Label 11-6 June</small>		
		Post Office To Address		
ORIGIN (POSTAL USE ONLY) PO Box No. 1105 <input type="checkbox"/> First Class <input type="checkbox"/> Second Delivery Date 11/30/04 <input type="checkbox"/> 12:00AM <input type="checkbox"/> 3PM Origin City PA <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM Weight 2.70 <input type="checkbox"/> Int'l Alpha Country Code Due Date 12/1/04 <input type="checkbox"/> COD Fee <input type="checkbox"/> Insurance Fee No Delivery <input type="checkbox"/> Window <input type="checkbox"/> Windowless		EXPRESS MAIL UNITED STATES POSTAL SERVICE DELIVERY (POSTAL USE ONLY) Delivery Attempt <input type="checkbox"/> AM <input type="checkbox"/> PM <input type="checkbox"/> Employee Signature Mo. Day 13 <input type="checkbox"/> AM <input type="checkbox"/> PM <input type="checkbox"/> Employee Signature Delivery Attempt <input type="checkbox"/> Time <input type="checkbox"/> Employee Signature Mo. Day 13 <input type="checkbox"/> AM <input type="checkbox"/> PM <input type="checkbox"/> Employee Signature Delivery Date <input type="checkbox"/> Time <input type="checkbox"/> Employee Signature Mo. Day 13 <input type="checkbox"/> AM <input type="checkbox"/> PM <input type="checkbox"/> Employee Signature		
CUSTOMER USE ONLY <small>NAME OF PAYMENT U.S. POSTAL SERVICE Express Mail Corporate Acct. No.</small> FROM: PHILADELPHIA PHONE: 215 567 2010 CAESAR RIVISE BERNSTEIN COHEN 1635 MARKET ST FL 12 SEVEN PENN CENTER PHILADELPHIA PA 19103-2219 180/20030 (dk)		 TO: ALEXANDRIA VA 22313 Mail Stop PCT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 <small>Phone 703-305-3257</small>		
<small>ISS HARD Re mailing 3 copies</small> FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com				

App. Serial No.:	10/511,950
First Inventor:	Hans Joachim Bruins
Filing Date:	October 21, 2004
Title of Invention:	Measuring Device, Particularly For Conducting Spectroscopic...
Group Art Unit:	
Examiner Name:	
Confirmation No.:	
Atty. Docket No.:	B1180/20030

The PTO stamp upon this card acknowledges the receipt of the following items regarding the matter identified above: Express mailing certificate no. EL962209460US, Transmittal Letter, Calculation Sheet, in duplicate, Submission of Declaration and Declaration.

DT07 Rec'd PCT/PTO 30 NOV 2004

dk

Date Mailed: November 30, 2004



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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/511,950	Hans Joachim Bruins	B1180/200301

03000
CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.
11TH FLOOR, SEVEN PENN CENTER
1635 MARKET STREET
PHILADELPHIA, PA 19103-2212

RECEIVED
JAN 13 2005

CAESAR, RIVISE, BERNSTEIN
COHEN & POKOTILOW, LTD.

INTERNATIONAL APPLICATION NO.	
PCT/EP03/04148	

IA. FILING DATE	PRIORITY DATE
04/22/2003	04/22/2002

CONFIRMATION NO. 8787
371 FORMALITIES LETTER



OC000000014911470

Date Mailed: 01/10/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/21/2004
- Copy of the International Search Report filed on 10/21/2004
- Preliminary Amendments filed on 10/21/2004
- Copy of references cited in ISR filed on 10/21/2004
- U.S. Basic National Fees filed on 10/21/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.138(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

*A copy of this notice **MUST** be returned with the response.*

01/24/05 11:42 FAX

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Page 2 of 2

DEBORAH D WILLIAMS

Telephone: (703) 305-3744

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,950	PCT/EP03/04148	B1180/20030

FORM PCT/DO/EO/905 (371 Formalities Notice)